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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 Paris Morton,

7 Plaintiff,

8 v.

9 dba Pigeonly; Las Vegas Metropolitan Police
Department,

10 Defendants.

Case No. 2:23-cv-00818-JAD-DJA

11
12 **Order**

13 Before the Court are two documents pro se Plaintiff Paris Morton filed that appear to be
14 either replies in support of motions the Court has already ruled on or motions to reconsider those
15 motions. (ECF Nos. 26, 27). Plaintiff titles both documents “replies.” One is filed on the docket
16 as a reply, but actually asks the Court to reconsider a prior order. (ECF No. 26). The other is
17 filed on the docket as a motion to reconsider, but appears to simply be a late-filed reply. (ECF
No. 27).

18 The first document is titled “Reply: Deposition Motion” and explains that Plaintiff has
19 received the order granting defendant Las Vegas Metropolitan Police Department’s (“LVMPD”) motion to depose Plaintiff, but that Plaintiff disagrees with it and would like the Court to
20 reconsider its decision. (ECF No. 26). Plaintiff explains that she never responded to LVMPD’s
21 motion to depose her because she never received the motion. Plaintiff does not provide any other
22 reason for the Court to reconsider its decision and does not identify the legal basis under which
23 she seeks this relief. Liberally construing Plaintiff’s request, it appears that her request arises
24 under Federal Rule of Civil Procedure 60, under rule which the Court may provide relief from a
25 judgment or order. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (explaining that “[a]
26 document filed *pro se* is to be liberally construed”). Under Rule 60, in relevant part, a court may
27 relieve a party from an order for the following reasons: (a) mistake, inadvertence, surprise, or
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1 excusable neglect; (b) newly discovered evidence; (c) fraud, misrepresentation, or misconduct by
2 an opposing party; (d) any other reason that justifies relief. Fed. R. Civ. P. 60(b)(1), (2), (3), (6).
3 Relief under the Federal Rule of Civil Procedure 60(b)(6)—providing for relief “for any other
4 reason that justifies relief”—is only available in extraordinary circumstances. *Twentieth Century-*
5 *Fox Film Corp. v. Dunnahoo*, 637 F.2d 1338, 1341 (9th Cir. 1981). A motion for reconsideration
6 is properly denied if it presents no new arguments. *Backlund v. Barnhart*, 778 F.2d 1386, 1388
7 (9th Cir. 1985). Whether to grant reconsideration is in the court’s discretion. *See id.*

8 Plaintiff does not provide any persuasive reasons for the Court to reconsider its motion
9 granting LVMPD’s motion to depose her. Plaintiff simply asserts that she was not able to
10 respond to the motion because she did not receive it. But she otherwise provides no reason for
11 the Court to reconsider the motion. While the Court could liberally construe her motion as raising
12 surprise as the reason for reconsideration, Plaintiff provides no reason that the surprise of learning
13 that the Court had granted LVMPD’s motion has prejudiced her. So, the Court denies her request
14 to reconsider.

15 The second document is titled “Reply: Motion to Appoint Counsel.” (ECF No. 27). It is
16 filed as a motion to reconsider. However, it does not ask the Court to reconsider its motion
17 denying Plaintiff’s motion for appointment of counsel. Instead, Plaintiff clearly states that it is a
18 reply in support of her motion. And to the extent Plaintiff seeks reconsideration through this
19 filing, she provides no basis for that relief. So, the Court denies her motion.

20 **IT IS THEREFORE ORDERED** that Plaintiff’s request that the Court reconsider
21 LVMPD’s motion for deposition (ECF No. 26) is **denied**.

22 **IT IS FURTHER ORDERED** that Plaintiff’s motion to reconsider the Court’s order
23 denying her motion for appointment of counsel (ECF No. 27) is **denied**.

24 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to send Plaintiff
25 a copy of this order.

26 DATED: March 28, 2025

27 
28 DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE